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ABSTRACT

Designed for parents, this brochure uses a car-trip analogy to describe special education services for students with disabilities. It addresses: (1) child find; (2) initial evaluation and eligibility determination; (3) categories of students who receive special education services and related services; (4) creating a home file to organize materials; (5) parent participation in multidisciplinary evaluation team meetings and recommended behaviors; (6) the purpose and the development of an Individualized Education Program (IEP); (7) initial student placement; (8) requirement that the student be placed in the least restrictive environment to receive appropriate services; (9) review and revision of the IEP; (10) revaluation and determination of eligibility; (11) procedural safeguards and parental notice of rights; (12) exiting the special education highway; (13) mediation and due process hearing when parties disagree; and (14) tips for dealing with hitting a "traffic jam" along the special education route. The brochure closes with a list of special education resource contacts in Arizona. (CR)

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Traveling the Special Education Highway: A Parent's Guide to a Safe and Happy Journey

Arizona State Department of Education, Phoenix

07/01/2001

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TRAVELING THE SPECIAL EDUCATION HIGHWAY

A PARENT'S GUIDE TO A SAFE AND HAPPY JOURNEY

July 2001

TRAVELING THE SPECIAL EDUCATION ROUTE

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CHILD FIND AND/OR IDENTIFICATION

SCREENING:
Schools must screen children upon entry to school if they do not enroll with prior records.

Review of Previous School Records, date and comments:

_____

Previous IEP implemented and date that services began:

_____

_____

Child Study Team or Teacher Assistance Team; Yes or No
Date meeting held:

_____

_____

Interventions suggested and tried in classroom:

_____

_____

_____

Referral for comprehensive evaluation, comments:

_____

_____

INITIAL EVALUATION AND ELIGIBILITY DETERMINATION

Prior Written Notice:

- Action proposed or refused
- Reasons for actions
- Options considered/reasons for rejection
- Any other related factors
- Procedural Safeguards given
- Sources for assistance
- Evaluation results, tests, records, reports

School must be sure that parents are aware of any change before it occurs.

Parental Consent: A parent should give a written response to the school on whether they are in agreement with the evaluation. Or, if you do not want to give consent, explain why you do not want your child tested.

All medical and developmental histories, with reports, should be given to the school. This information will be important to the evaluators as the testing is completed. Any previous evaluations should also be shared with the evaluation team.

Eligibility Determination: The Multidisciplinary Evaluation Team (MET), of which the parent is a member, discusses testing results and determines eligibility for special education services.

WHO GETS SPECIAL EDUCATION SERVICES?

Children with one or more of the following disabilities and who require specialized instruction to benefit from his/her education receive special education.

Categories of Special Education:

- Autism (A)
- Emotional Disability (ED)
- Hearing Impairment (HI)
- Other Health Impairments (OHI)
- Specific Learning Disability (SLD)
- Mild Mental Retardation (MIMR)
- Moderate Mental Retardation (MOMR)
- Severe Mental Retardation (SMR)
- Multiple Disabilities (MD)
- Multiple Disabilities & Severe Sensory Impairment(MDSSI)
- Orthopedic Impairment (OI)
- Speech/Language Impairment (SLI)
- Preschool Moderate Delay (PMD)
- Preschool Speech/Language Impairment (PSL)
- Preschool Severe Delay(PSD)
- Traumatic Brain Injury (TBI)
- Visual Impairment (VI)

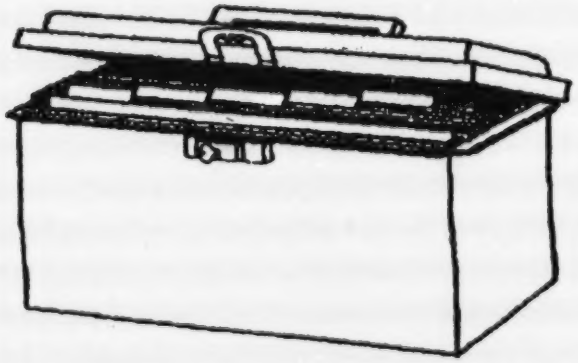
RELATED SERVICES: (list is not all inclusive)

- Speech Therapy
- Physical and/or Occupational Therapy
- Adaptive Physical Education
- Audiological Services
- Orientation, Mobility
- Braille
- Interpreter for Hearing Impairment
- Specialized Transportation
- School Health Services

CREATING A HOME FILE

It is important that parents have organized information that enables them to keep their child's paperwork easily accessible. A suggested format would be a 3 ring binder with dividers or a box with folders. The following items should be included in your home file:

- ❑ Get to Know Me - pictures,strengths, needs
- ❑ Legal Documents - birth certificate,Social Security #
- ❑ Medical records or reports
- ❑ Developmental records,reports, evaluations
- ❑ Calendar of meetings, appointments
- ❑ Communications - log of calls, notes, letters
- ❑ Directory of names and phone numbers
- ❑ Current and past IFSPs/IEPs/IWRPs
- ❑ Adaptive equipment/medical equipment list
- ❑ Resources,articles,laws
- ❑ Keep a mini file on hand for respite or day care providers.
- ❑ Keep a scrapbook of special events in child's life.



THIS IS A SCENIC ROUTE - STOP FOR A VIEW OF A MEETING AROUND THE NEXT BEND...

SUGGESTED CONFERENCE BEHAVIORS

- BE PREPARED - TAKE INFORMATION
- Sit in the middle of the group
- Be positive, both verbally and physically
- Provide facts
- Use appropriate humor, but avoid nervous laughter
- Express your opinion clearly
- State reasons for your position
- Speak in a tone that can be heard by everyone
- Listen carefully
- Look directly at the speaker
- Sit with a relaxed posture
- Ask questions and be sure to get answers
- Ask about rights and responsibilities if unclear
- Include everyone in the discussion or questions
- SMILE

BUCKLE UP -- ASSISTANCE FROM AN IEP!

If the Multidisciplinary Evaluation Team (MET) determines a child is eligible, an Individual Education Plan is developed.

ROUTES TO FOLLOW

Full Service Travel Agency = *IEP TEAM*
The mandatory seat belt = *Written IEP*
Legally Binding = *IDEA '97 has to be followed*

Before the IEP Meeting:

- Talk to your child about school.
- Visit your child's classroom.
- List strengths, needs, and goals to be achieved.
- List questions for the IEP team.
- Review your home file and/or previous IEP.
- Know your parental rights and responsibilities.
- Prepare supplies (paper, pen, records).
- Remind support people of the importance of their attendance.

When traveling the IEP highway be sure to remember to:

- Stay calm and focused on your child.
- Ask questions often, never assume anything.
- Smile and be a cooperative team member by contributing as much as possible.

A Functional IEP is:

- **Achievable** - reasonable expectations for accomplishment based on: present level of educational performance, Arizona Academic Standards, and annual goals.
- **Meaningful** - calculated to receive educational benefit.
- **Practical** - based on the needs of the child.
- **Measurable** - progress toward the anticipated outcomes.
- **Realistic** - determines appropriate placement in the least restrictive environment (LRE).
- **Useful** - beneficial education and related services.
- **Valuable** - determines if a child receives a free appropriate public education (FAPE).

THE PURPOSE OF AN IEP

1. **Communication vehicle** between parents and school
2. **Commitment of resources** for the child
3. **Management tool** appropriate to learning needs
4. **Compliance and Monitoring document**
5. **Evaluation document** on child's progress
6. **Resolving differences** through written document

Parents may bring anyone to the IEP/placement meeting who can provide support or additional information to the team. IEP teams are required to consider the information provided by an outside source. The team is not required to implement the findings or follow the recommendations, but should have all of the data available before making a decision.

During the IEP Meeting:

- Ask and receive answers to questions.
- Clarify the educational program that is proposed.
- Discuss the Least Restrictive Environment for the child.
- Work as a team to explore options.
- Ask for another meeting if there is not consensus.
- Request a copy of the IEP document.

After the IEP Meeting:

- Keep the IEP available to monitor progress.
- Learn about special education and your child's disability.
- State concerns in writing if you did not sign the IEP.
- Contact parent advocacy groups or your local PIN Specialist.*

*PINS - refer to Emergency, page 15

INITIAL PLACEMENT

If the evaluation and IEP are acceptable, the parent or parents sign a placement statement that allows the child to begin special education services.

Outside Evaluation: If there are concerns with the school evaluation, or placement decison, an outside evaluation or independent evaluation can be requested at no expense to the family. The independent evaluator should have extensive experience with the necessary educational and psychological testing in the area of the supected disability. In addition, experience with children is a must.

Consult your school district, charter school or PIN Specialist for assistance in locating an outside evaluator.

THE LEAST RESTRICTIVE ENVIRONMENT
LRE = type of educational setting best suited to child's learning needs:

- Education with non-disabled peers to the maximum extent possible.
- In the regular classroom environment with supplemental aids and services. This will be the first educational option considered by the IEP team.
- Educational placement considered in the school your child would attend if non-disabled, unless otherwise required by the IEP team.
- Participation with non-disabled peers in non-academic, extracurricular services and activities will be emphasized throughout the day. Every child should have some participation with non-disabled students.

YOU MAY NOT ALWAYS AGREE WITH THE PROPOSED PLACEMENT OPTION --

Detour to gather more data. Consult with an advocate or PIN Specialist. Remember it is OK to ask questions. It is OK not to know exactly what to do on every issue.

You might consider trying the placement for four to six weeks, then meet again with the IEP team to see how it is working. If the placement is not appropriate, then try other options.

GIVE YOURSELF TIME!

REVIEW AND REVISION OF THE IEP

Each year the process of writing a student's IEP is repeated. The IEP is to be carried out in the least restrictive environment. The least restrictive environment (LRE) is the setting that is most appropriate for the student and is as close as possible to the home school or class that he/she would attend if without a disability.

Parents receive a meeting notice before the IEP meeting to describe the purpose of the meeting, who will attend, and to confirm the date and times. Prior written notices are sent after the meeting to record any changes that the IEP team has suggested.

PROGRESS IS THE BIGGEST ISSUE:
The home file should have Goals and Objectives from the previous year's IEP. How has progress been made and documented? (Check the latest progress reports)

You should receive progress reports about the IEP each time report cards are given to other students.

Review the home file. Bring to the meeting updated medical records, new medications or a new doctor's name that would be important for the school records.

Sign a release for the school to talk to the doctor if medical issues are the focus of the IEP.

REEVALUATION AND DETERMINATION OF ELIGIBILITY

The amendment to IDEA in 1997, and the resulting federal regulations have made it clear, that there are options during the reevaluation process. Every three years, the IEP team, including the parent, must determine whether additional data is needed. A short report is completed on the discussion of the IEP team with a decision on further testing. A prior written notice is given to parents outlining whether the student is eligible for services and whether additional testing will be necessary.

If additional data is needed by the MET, parent consent is required before testing. Additional data is collected and a decision is made on whether or not to continue services in special education. A new MET report is written and the placement process is repeated as before. Or, if the student is no longer eligible, special education services will stop.

Parents' Rights

Several times throughout the special education process, parents receive their rights in a procedural safeguard notice form. The rights are intended to help parents be fully informed before making decisions. A condensed version is given here:

Procedural Safeguards Notice

- Right to informed consent on evaluations and placement.
- Right to be involved in meetings and decision making.
- Right to examine school records.
- Right to obtain an independent evaluation at no expense.
- Right to Prior Written Notice.
- Right to a due process hearing and appeal procedures.
- Right, in certain cases, to attorneys' fees.
- Right to "stay put" in child's current placement during hearing.
- Right to information on discipline procedures.
- Right to voluntary mediation.
- Right to notification of assigned surrogate parent.
- Right to information on transfer of rights at age 18.
- Responsibility to notify school of private placement or a request for a due process hearing.

EXITING THE SPECIAL EDUCATION ROUTE

If the parent does not agree with the special education evaluation, program or progress, the decision for placement can be appealed through mediation or due process. It is the school's responsibility to be sure that the student still receives a Free Appropriate Public Education. (FAPE)

During the reevaluation process, if the school's data shows that the student is no longer eligible for services, the school must give the parent prior written notice with procedural safeguards before stopping services.

If the student is exiting from special education classes, a transition to all general education classes is considered Best Practice. A discussion should be held with the IEP team on eligibility for Section 504. Section 504 provides reasonable accommodations in the regular classroom for students whose disability significantly affects one or more life activities, such as learning. A written plan assures that the student is not discriminated against in the school setting. This plan includes any necessary modifications or adaptations.

The best scenario for removing a student from special education is if the student no longer needs the services. The IEP team must agree to this decision and the following procedures must occur:

1. Prior Written Notice given to parents
2. Procedural Safeguard Notice given to parents
3. Parent consent for re-evaluation
4. Re-evaluation
5. MET meets to determine continued placement or exit from special education services

SOMETIMES YOU REACH A CROSSROADS IN SPECIAL EDUCATION

MEDIATION VS. DUE PROCESS HEARINGS

If concerns become problems that need outside assistance in order to resolve them, there are two ways to handle them.

MEDIATION - Includes mediator and parties directly involved

1. Participation is voluntary by the parents and schools. It is free.
2. Views are exchanged and discussed by both parties who are involved in the impasse.
3. Problem solving through exploring options is encouraged.
4. Proceedings are cooperative and informal.
5. The goal is improved communication and a satisfactory resolution to the concerns for a WIN-WIN outcome.
6. Appropriate placement or services for the student results in an agreement written by both parties and joint ownership of it.
7. Sessions may last ½ - 2 days.
8. Costs are paid by the Arizona Department of Education.

DUE PROCESS HEARING - Includes a hearing officer, attorneys and witnesses

1. Either party may initiate a written request.
2. Adversarial, with formal proceedings, where parties are required to argue and defend positions.
3. Failed communication and awkward relationships can be a result of a due process hearing.
4. Impasse is reached in negotiations and the result is unsatisfactory to either or both parties with a WIN-LOSE outcome.
5. Substantial expenses are paid by school and parents
6. Three or more days are needed for the hearing, plus preparation time outside the hearing.
7. A binding decision is imposed on both parties by the hearing officer.

IN CASE OF A TRAFFIC JAM ALONG THE SPECIAL EDUCATION ROUTE:

1. STOP !!
2. DETERMINE THE NATURE OF THE PROBLEM.
3. CALL THE TEACHER.
4. KEEP CALM - DON'T ARGUE. EXCHANGE IDEAS WITH THE TEACHER.
5. JOT DOWN WHAT WAS DECIDED AND WHEN CONCERN SHOULD BE CHECKED.
6. DEVELOP A PLAN TO PREVENT FUTURE ACCIDENTS FROM HAPPENING.

What was the cause of the current problem?

_____

_____

_____

_____

How could the situation have been helped or prevented?

_____

_____

_____

_____

_____

EMERGENCY ASSISTANCE

IF YOU NEED A TOW--CALL:

Teacher:

Psychologist:

Principal:

Special Education Director:

Arizona Department of Education, Exceptional Student Services,
Program Specialist:

ADE Phoenix Address:

Rita Kenison, PIN Coordinator
1535 W. Jefferson, Phoenix, AZ 85007-3280
Phone: 602-364-4015
E-mail: rkenis@ade.az.gov

ADE Tucson Address:
400 W. Congress Suite 241, Tucson, AZ 85701
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